

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ANTHONY DIAZ ET AL,  
Plaintiff

CIVIL ACTION NO. 04-12664-DPW

v.

BAYBUTT CONSTRUCTION  
CORPORATION,  
Defendants

**ORDER OF DISMISSAL**

WOODLOCK, District Judge

On May 11, 2005, a Conditional Order of Dismissal pursuant to Rule 4(m), Federal Rules of Civil Procedure and Local Rule 4.1(b) issued, requiring the Plaintiff to file a proof of service or show good cause why service has not been made. To date, no response has been filed by the Plaintiff.

Accordingly, for failure of plaintiff to file return of service, or show good cause why service has not been made upon the above-named defendants, pursuant to the provisions of Rule 4(m) of the Federal Rules of Civil Procedure and Local Rule 4.1;

It is hereby ORDERED that the above-entitled action be and hereby is DISMISSED without prejudice.

BY THE COURT,

December 6, 2005  
DATE

/s/ Michelle Rynne  
Deputy Clerk